Cleveland Twp.

November 28, 2023

The Cleveland Twp. Planning Commission Members did not meet this night as there was no business to conduct.

The Cleveland Twp. Supervisors held their meeting at the municipal building starting @ 7 pm. All supervisors were present. Chairman, Skip Litwhiler, opened the business meeting.

People who attended: Zoning officer, Jim Wesloskie, 5 planning commission members (Dan Knoebel, Mary Azary, Barb Splitt, Mark Zenyuch & Richard Cecco), 4 citizens, Attorney Richard Davison – representing Sanik Solar and Dennis Sheehan – representing Dynamic Solar. Attached to these minutes are said names.

Everyone stood for the pledge of allegiance.

Minutes of the previous meeting were distributed to the supervisors and (1) copy for the public. Steve made a motion to accept the minutes as written. Jack 2nd the motion. Steve & Jack approved. Skip abstained from voting. Motion carried.

**PUBLIC COMMENTS ABOUT ITEMS ON AGENDA:** Attorney Davison was present and given the floor. He represented Sanik Solar. He stated his client has been trying to send/give the twp. an application for a solar farm since Nov. 20th for property on Bethel Rd., but the twp. refuses to accept the application. Under new business and with the discussion to declare the zoning ordinance substantially invalid for lack of zoning authority to govern solar projects, he asked if his client could submit the application. Chairman stated that it would be addressed under new business.

Sherry Anderson was present and given the floor. She stated that Dynamic Solar submitted plans to the twp. for a solar farm on her 105 plus acres and she questioned if the decision would affect these plans. She was advised also that it would be discuss later in the meeting.

Old Business: The 2024 proposed budget was presented. Skip took the floor and stated to put $5,000.00 in code 409.61 to repair the small shed on the twp. ground. With no other additions or corrections, Skip made a motion to accept as a proposed budget and advertised for public inspection. Jack 2nd the motion. All approved. Final budget to be adopted at Dec. 26th meeting.

Zoning officer, Jim Wesloskie, was present and given the floor. He suggested putting in the tax bills a notice advising residents of requirements for campers in floodplain/flood fringe when the new National Flood Plain Ordinance takes effect in March 2024. A sample notice was given to the board. Skip stated that Chief Tax Assessor, David Heim, should look at the properties along Muggers Run and branches of Roaring Creek to see if the campers are license before notice given.

No old business from supervisors.

New Business: Received a variance application form Jim Cecco’s daughter & son-in-law (Mr. & Mrs. Ted Deljanovan) proposing a 2 acre lot in the forest district which requires 4 acres. The variance hearing will be held tomorrow night (Nov. 29th).

Received $20,000.00 from Columbia Co. Conservation District for advance payment on Queen City Rd. D&G LVR project.

Police report for the month of October was received.

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Zoning officer, Jim Wesloskie, was given the floor. He stated that Steve Bielski from Tri-Co COG IBC gave him a book on IPMC (International Property Maintenance Code). This book covers many enforcement issues. A class on this subject will be held sometime in 2024. The class costs $60.00. Skip made a motion to pay for the class and mileage for Jim to attend. Jack 2nd the motion. All approved. Jim reported that the zoning ordinance will have to be amended to address these issues and penalties applied if failure to correct. Jim reported about the camper on Robert Conniff ground on Ashton Hollow Rd. The ground where the camper sits is rented out to another party. It is hooked up to PPL for electricity, but not sure if it is hooked up for sewage. Supervisors advised Jim to have Jim McDevitt, SEO from Columbia Co. Sanitary Inspection Office come and inspect it before a removal letter is sent. Jim stated he will talk with Mr. Conniff about this matter.

Skip took the floor and spoke about the proposed solar energy ordinance. Planning Commission members have been working on it for months. He stated at PSATS convention in April, he attended a class and the speaker talked about putting a stop on such land developments. After talking with PSATS and on the advice of our twp. solicitor, the supervisors can make a motion to declare the zoning ordinance substantially invalid for lack of zoning authority to govern solar projects. After a motion is made and passed, within 30 days a resolution outlining what is inadequate needs to be vote on. Then the 180 days starts to implement the changes. This procedure is outlined in the Pa. Municipal Code Book. With no discussion, Skip made a motion to declare the zoning ordinance substantially invalid. Steve 2nd the motion. All approved.

Ordinance for Supervisors Compensation was done in year 2002. This ordinance is not in compliance with the wording in the 2nd class twp. code book. Supervisors discussed about having Attorney Greco draft an ordinance that the monthly compensation will be $156.25 per month for supervisors starting a new term, and if the draft is received in time to advertise for adoption for Dec. 26th meeting.

Supervisors talked about selling the 1989 International Truck AS IS and putting it out for bids. Advertise in newspaper and on the website. Open bids at the Dec. meeting.

Treasurer’s report was submitted along with the amount of money to be transferred and withdrawn. Include the invoice from Bloomsburg Truck & Trailer Service for $853.73. Skip made a motion to pay the bills and the additional invoice and ratify the transfers and withdrawals. Steve 2nd the motion. All in favor. Attached to these minutes is said report.

**PUBLIC INPUT:** Supervisors Jack Jeffery was given the floor. He asked the planning commission members how far along are they with a proposed solar energy ordinance. Chairman, Dan Knoebel, stated 99% done with the ordinance.

Attorney Robert Davison wasgiven the floor. He asked the supervisors if his client can submit the application for the solar farm on Bethel Rd. Chairman advised him NO. He responded “we will see you in court.”

Dennis Sheehan, representative from Dynamic Solar was given the floor. He spoke about that projected project on the Anderson property.

Being no further business, Skip made a motion to adjourn the meeting @ 8:10 pm. Steve 2nd the motion. All approved. Meeting adjourned.

Secretary,